

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

JOHN BUFF,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:06CV00138 ERW
)	
CHUCK DWYER, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff's Motion Requesting Court Order Directing Warden Steve Larkins to Release Custody of Plaintiff's Legal Files Needed for this Suit [doc. #49], Plaintiff's Motion for Request of Extension of Time to Conclude Discovery Due to Extraordinary Circumstances Endured by Both Parties [doc. #53], Plaintiff's Alternative Request for Extension of Time to Resolve Discovery Dispute or File Motion to Compel Discovery Out of Time [doc. #55], Plaintiff's Request for 5 Days Extension to File Motion to Compel Due to Extraordinary Circumstances Beyond His Control [doc. #62], Plaintiff's Motion to Compel Discovery [doc. #64]. A hearing was held on August 11, 2008, and at that hearing, Plaintiff orally withdrew all of the Motions above, except for the pending Motion to Compel Discovery.

The parties have been unable to resolve their discovery disputes, and Plaintiff asks that the Court compel Defendants to produce the documents he requests. In identifying the discovery questions below, the Court uses Defendants' numbering system, which is in brackets on the exhibits submitted to the Court.¹

¹ It does not appear that Defendants inserted their numbering system in Exhibit H or G. Accordingly, the Court's rulings as to the discovery request propounded to Mary Ann Faulkner and the request for production of documents will reference Plaintiff's numbering system.

I. DISCOVERY DIRECTED TOWARDS DEFENDANT CHRISTY CLINTON

The Court overrules Defendants' objections to questions 4, 5, 6, 7, 8, 13, 15, 17, 17a, 25, 26, 27 and 29. The Court sustains Defendants' objections to questions 9, 10, 11, 12, 14, 16, 16a, 16b, 16c, 23, 24, 28, 30, 34.

II. DISCOVERY DIRECTED TOWARDS DEFENDANT ALEX CLINTON

The Court overrules Defendants' objections to questions 4, 5, 6, 7, 8, 13, 15, 17, 17A, 18, 19, 20, 21, 22, 22a, 23, 24, 26, 26a, 29, 30, 31, 35, 35a, 36, 37 and 40. The Court sustains Defendants' objections to questions 9, 10, 11, 12, 14, 25, 25a, 25b, 25c, 27, 28, 28a, 32, 33, 34 and 39.

III. DISCOVERY DIRECTED TOWARDS DEFENDANT MARY ANN FAULKNER

The Court overrules Defendants' objections to question 1, however, sustains the objection as to what is in her employment file. The Court also overrules Defendants' objections to question 2, 2A, 2B, 2D, 2I, 2K, 2M, 2Q and 2S. The Court sustains Defendants' objections to questions 2C, 2E, 2F, 2G, 2H, 2J, 2L, 2P and 2R.

IV. PRODUCTION OF DOCUMENTS

The Court overrules Defendants' objections to request 1, 1A, 2, 5, 6 and 6A. The Court sustains Defendants' objections to request 3, 4, 5A and 6B.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel Discovery [doc. #64] is **GRANTED in part, and DENIED, in part.** Defendant Christy Clinton must respond to questions 4, 5, 6, 7, 8, 13, 15, 17, 17a, 25, 26, 27 and 29. Defendant Alex Clinton must respond to questions 4, 5, 6, 7, 8, 13, 15, 17, 17A, 18, 19, 20, 21, 22, 22a, 23, 24, 26, 26a, 29, 30, 31, 35, 35a, 36, 37 and 40. Defendant Mary Ann Faulkner must respond to question 1, except that she is

not compelled to disclose the information in her employment file, and must also answer questions 2, 2A, 2B, 2D, 2I , 2K, 2M, 2Q and 2S. Finally, Defendants must respond to Plaintiff's document production requests 1, 1A, 2, 5, 6 and 6A.


IT IS FURTHER ORDERED that Plaintiff's Motion Requesting Court Order Directing Warden Steve Larkins to Release Custody of Plaintiff's Legal Files Needed for this Suit [doc. #49] is **DENIED, as moot.**

IT IS FURTHER ORDERED that Plaintiff's Motion for Request of Extension of Time to Conclude Discovery Due to Extraordinary Circumstances Endured by Both Parties [doc. #53] is **DENIED, as moot.**

IT IS FURTHER ORDERED that Plaintiff's Alternative Request for Extension of Time to Resolve Discovery Dispute or File Motion to Compel Discovery Out of Time [doc. #55] is **DENIED, as moot.**

IT IS FURTHER ORDERED that Plaintiff's Request for 5 Days Extension to File Motion to Compel Due to Extraordinary Circumstances Beyond His Control [doc. #62] is **DENIED, as moot.**

Dated this 13th day of August, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE